

Message

From: Halpin, Michael (POL) [/O=COMMONWEALTH OF MASSACHUSETTS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=MHALPIN]
Sent: 7/28/2012 2:54:50 PM
To: Han, Linda (DPH) [/O=COMMONWEALTH OF MASSACHUSETTS/OU=MassMail-01/cn=Recipients/cn=Linda.Han]; Chilian, Steve (DPH) [/O=COMMONWEALTH OF MASSACHUSETTS/OU=MassMail-01/cn=Recipients/cn=Steve.Chilian]; Monroe, Natalie (AGO) [/O=COMMONWEALTH OF MASSACHUSETTS/OU=MassMail-01/cn=Recipients/cn=NMonroe]; Levin, Donna (DPH) [/O=COMMONWEALTH OF MASSACHUSETTS/OU=MassMail-01/cn=Recipients/cn=Donna.Levin]; Nassif, Julianne (DPH) [/O=COMMONWEALTH OF MASSACHUSETTS/OU=MassMail-01/cn=Recipients/cn=Julianne.Nassif]
Subject: Rule 17 Subpoenas concerning DPH Lab

When everyone has time, I would like to revive the discussion on this matter and reach a consensus on how to handle both existing and new matters. I am still not sure when all of the outstanding matters are scheduled to be addressed in court (and whether MSP should be involved) and do not think we have resolved the issues concerning who is the KOR for personnel records and other DPH records concerning the Lab and past investigations of personnel. Can we possibly find time next week to discuss?

Michael B. Halpin
Chief Legal Counsel
Massachusetts State Police
470 Worcester Road
Framingham, MA 01702
Tel: (508) 820-2303
Fax: (508) 820-2649

From: Halpin, Michael (POL)
Sent: Wednesday, July 11, 2012 5:51 PM
To: Kelly, Natassia (AGO)
Cc: Han, Linda (DPH); Chilian, Steve (DPH); Monroe, Natalie (AGO); Levin, Donna (DPH); Nassif, Julianne (DPH)
Subject: Re: Haynes Case

I will attend but do not, as discussed, believe that MSP has become the KOR for the responsive records or that the transfer gives MSP standing to answer for DPH. Where are DPH's personnel records (for current and former employees) now? Please call me on my cell tonight or tomorrow [REDACTED] if you would like to discuss.

Sent from my iPhone

On Jul 11, 2012, at 5:31 PM, "Kelly, Natassia (AGO)" <Natassia.Kelly@MassMail.State.MA.US> wrote:
Thank you all for the information.

Mike, could you confirm that you will be in attendance at the hearing?

Linda, I will let you know if you must come to testify at trial in the afternoon.

From: Han, Linda (DPH)
Sent: Wednesday, July 11, 2012 4:39 PM
To: Chilian, Steve (DPH); Kelly, Natassia (AGO)
Cc: Monroe, Natalie (AGO); Halpin, Michael (POL); Levin, Donna (DPH); Nassif, Julianne (DPH)
Subject: RE: Haynes Case

Thanks Steve.

The 2 specimens related to this case have both been retested as follows:

[REDACTED] Annie Dookhan- preliminary testing, Peter Piro - GC/MS 11/08/2010
Peter Piro - both 05/07/2012

[REDACTED] Annie Dookhan - preliminary testing, Kate Corbett -GC/MS 01/31/2011
Kate Corbett -both 04/13/2012

R= resubmittal

Natassia, please let me know if you need further information.

Thanks,
Linda

Linda Han, MD, MPH
Director, Bureau of Laboratory Sciences
William A. Hinton State Laboratory Institute
Massachusetts Department of Public Health
305 South St.
Jamaica Plain, MA 02130
(617) 983-4362 (phone)
(617) 983-6211 (fax)
www.mass.gov/dph/bls

From: Chilian, Steve (DPH)
Sent: Wednesday, July 11, 2012 4:25 PM
To: Kelly, Natassia (AGO)
Cc: Han, Linda (DPH); Monroe, Natalie (AGO); Halpin, Michael (POL); Levin, Donna (DPH)
Subject: Haynse Case

Hi Natassia

Attached please find copy of the subpoenas issued to Linda Han.

As you know the Drug Testing Lab was transferred to OPS on July 1. POL is currently operating the lab and is now the Keeper of the Records for same. The ADA on the case was reported to be Erin McFarland. She is expected back in the office today. Her number is [REDACTED] Linda Han will be available tomorrow to testify if necessary. Her number is [REDACTED] I will let her know she needs to attend and that you will be available to assist her.

In the past the lab has provided all relevant information pertaining to the testing of the sample that is the subject the criminal complaint. This has included all chain of custody documentation, testing documentation, and lab protocols. I

believe the lab has already provided this to the DA's office. I also believe that there was a retest of the sample in this case.

When requested, the lab has not objected to providing communications it has had with County DA's regarding the investigation. I am attaching three letters written by Linda Han as the former Director of the Forensic Drug Lab. The letter written by Linda to all DAs dated Feb21 is a summary of what occurred at the lab. Linda also did a memorandum describing the changes that were made by the lab as a result of its investigation. Our office has provided these documents to OPS along w/a copy of the investigative report. However, we have not produced the investigation report w/o a court order via a R17 motion hearing.

I am also sending you a copy of the motion to quash that Natalie filed on a similar case (Com.v. Abreu).

Thanks for your help - Steve